

111TH CONGRESS
2^D SESSION

H. R. 1258

AN ACT

To amend the Communications Act of 1934 to prohibit manipulation of caller ID information, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Truth in Caller ID
3 Act of 2010”.

4 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF**
5 **CALLER ID INFORMATION.**

6 Section 227 of the Communications Act of 1934 (47
7 U.S.C. 227) is amended—

8 (1) by redesignating subsections (e), (f), and
9 (g) as subsections (f), (g), and (h), respectively; and

10 (2) by inserting after subsection (d) the fol-
11 lowing new subsection:

12 “(e) PROHIBITION ON PROVISION OF DECEPTIVE
13 CALLER ID INFORMATION.—

14 “(1) IN GENERAL.—It shall be unlawful for any
15 person within the United States, in connection with
16 any real time voice communications service, regard-
17 less of the technology or network utilized, to cause
18 any caller ID service to transmit misleading or inac-
19 curate caller ID information, with the intent to de-
20 fraud or deceive.

21 “(2) PROTECTION FOR BLOCKING CALLER ID
22 INFORMATION.—Nothing in this subsection may be
23 construed to prevent or restrict any person from
24 blocking the capability of any caller ID service to
25 transmit caller ID information.

26 “(3) REGULATIONS.—

1 “(A) DEADLINE.—Not later than 6
2 months after the date of enactment of this sub-
3 section, the Commission shall prescribe regula-
4 tions to implement this subsection.

5 “(B) CONSIDERATION OF RELATED REGU-
6 LATIONS.—In conducting the proceeding to pre-
7 scribe the regulations required by subparagraph
8 (A), the Commission shall examine whether the
9 regulations under subsection (b)(2)(B) should
10 be revised to require calls that are not made for
11 a commercial purpose to residential telephone
12 lines using an artificial or prerecorded voice to
13 deliver a message to transmit caller ID infor-
14 mation that is not misleading or inaccurate.

15 “(4) LAW ENFORCEMENT EXCEPTION.—This
16 section does not prohibit lawfully authorized inves-
17 tigative, protective, or intelligence activity of a law
18 enforcement agency of the United States, a State, or
19 a political subdivision of a State, or of an intel-
20 ligence agency of the United States, or any activity
21 authorized under chapter 224 of title 18, United
22 States Code.

23 “(5) SAVINGS PROVISION.—Except as provided
24 for in paragraph (3)(B), nothing in this subsection
25 may be construed to affect or alter the application

1 of the Commission's regulations regarding the re-
2 quirements for transmission of caller ID informa-
3 tion, issued pursuant to the Telephone Consumer
4 Protection Act of 1991 (Public Law 102-243) and
5 the amendments made by such Act.

6 “(6) DEFINITIONS.—For purposes of this sub-
7 section:

8 “(A) CALLER ID INFORMATION.—The term
9 ‘caller ID information’ means information pro-
10 vided to an end user by a caller ID service re-
11 garding the name or the telephone number of
12 the caller or other information regarding the
13 origination of a call made using any real time
14 voice communications service, regardless of the
15 technology or network utilized.

16 “(B) CALLER ID SERVICE.—The term
17 ‘caller ID service’ means any service or device
18 designed to provide the user of the service or
19 device with the name or the telephone number
20 of the caller or other information regarding the
21 origination of a call made using any real time
22 voice communications service, regardless of the
23 technology or network utilized. Such term in-

- 1 cludes automatic number identification serv-
- 2 ices.”.

Passed the House of Representatives April 14, 2010.

Attest:

Clerk.

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